

FILED
KENNETH J. MURPHY
CLERK

03 OCT -3 AM 10:49

THE UNITED STATES DISTRICT COURT
WEST DIVISION - CINCINNATI
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION - CINCINNATI

STEVEN D. KING,)	
)	
Plaintiff,)	TRIAL BY JURY DEMANDED
)	
-vs-)	CASE NO.: C-1-01-802
)	
CSX TRANSPORTATION, INC.)	Judge Herman J. Weber
a corporation,)	
)	PLAINTIFF'S SUPPLEMENT TO
)	PROPOSED FINAL PRETRIAL ORDER
Defendant.)	

Now comes the Plaintiff and hereby supplements Section V. D. of the Proposed Final Pretrial Order as follows:

D. **EXPERT WITNESSES:**

The parties propose to call the following number of expert witnesses (not including treating physicians), all of whom have been disclosed to the opposing side:

Plaintiff: 2

Defendant: 3

The curricula vitae of expert witnesses are either attached hereto as an appendix, or will be filed separately with the Court at a later date. The parties will exchange binding reports or summaries of such experts.

The parties certify that they have compiled with Rule 26 of the Federal Rules of Civil Procedure pertaining to expert testimony.

Additionally, the plaintiff supplements Appendix "A" Plaintiff's Witness List as follows:

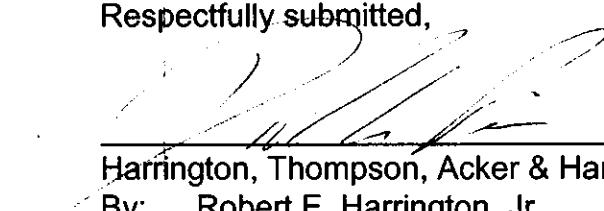
27. **Dr. Michael H. Thomson**
Thomson Econometrics & Employment Research
2350 Franklin Road, Suite 200
Bloomfield Hills, MI 48302

Dr. Michael Thomson is a retained expert witness that will testify regarding the plaintiff's economic losses consistent with this expert witness' written report dated September 3, 2003.

The plaintiff also supplements Appendix "C" Plaintiff's Exhibit List as follows:

83. Expert report of Dr. Michael Thomson, including all exhibits attached thereto
84. Curriculum Vitae of Dr. Michael Thomson

Respectfully submitted,


Harrington, Thompson, Acker & Harrington, Ltd.

By: Robert E. Harrington, Jr.
Patrick J. Harrington
Daniel W. Pisani

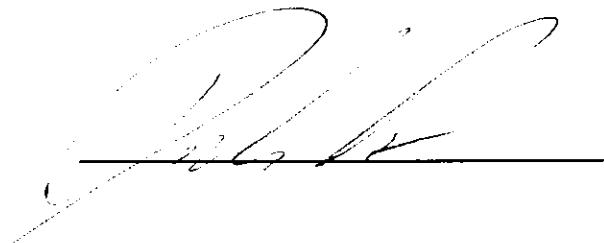
Harrington, Thompson, Acker & Harrington, Ltd.
310 South Michigan Avenue--Suite 2000
Chicago, Illinois 60604
(312) 922-8833

PROOF OF SERVICE

Daniel W. Pisani, being first duly sworn under oath, deposes and states that he served a copy of the attached **PLAINTIFF'S SUPPLEMENT TO PROPOSED FINAL PRETRIAL ORDER** upon:

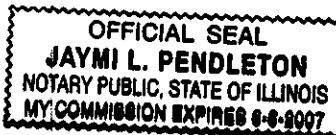
Mr. James L. O'Connell
Lindhorst & Dreidame
312 Walnut Street, Suite 2300
Cincinnati, OH 45202-4091

by depositing the same in a properly addressed stamped envelope, with proper postage prepaid, in the U.S. Mail Box located at 310 S. Michigan Avenue, Chicago, Illinois on the 2nd day of October, 2003.



Subscribed and Sworn to
before me this 2nd day
of October 2003.


Jaymi L. Pendleton
Notary Public



HARRINGTON, THOMPSON, ACKER & HARRINGTON, LTD.
310 South Michigan Avenue, Suite 2000

Chicago, Illinois 60604

312-922-8833